IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 31489 of 2006(W)

PETITIONER:

B.C.DEVELOPERS,
REP. BY ITS MANAGING PARTNER,
A.KARUNAKARAN, 17/1586A, SREEDEVI,
RAM MOHAN ROAD, KOZHIKODE.

BY ADV. SRI.S.RAMESH BABU
SRI.P.RAVINDRANATH

RESPONDENTS:

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1. THE SUB REGISTRAR,
SUB REGISTRAR OFFICE,
MEENCHANDA, KOZHIKODE.

2. THE RECOVERY OFFICER,
DEBTS RECOVERY TRIBUNAL,
KSHB BUILDING, PANAMPILLY NAGAR,
ERNAKULAM.

BY GOVT. PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/03/2007 AND SPOKEN TO ON 13/04/2007, THE COURT ON 13/04/2007 DELIVERED THE FOLLOWING:

APPENDIX IN WPC.31489/06

PETIITONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE CONFIRMATION OF SALE DEED DATED 20.9.06 ISSUED BY THE 2ND RESPONDENT.

EXT.P2: CERTIFICATE OF SAEL OF IMMOVABLE PROPERTY ISSUED BY THE 2ND RESPONDENT DATED 26.10.06.

EXT.P3: PETITION FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 13.11.06.

EXT.P4: REPLY OF THE 1ST RESPONDENT TO THE PETITIONER DATED 14.11.06.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.31489 OF 2006

Dated this the 13th day of April, 2007

JUDGMENT

Heard.

The petitioner bid an auction by the recovery officer of the Debts Recovery Tribunal. His complaint is that the registering authority, the first respondent, is not filing the sale certificate. The objection taken by the first respondent is that appropriate stamp duty has not been paid. This issue is covered by the judgment of this Court dated 27.2.2007 in W.P(C).29240/06. Hence this writ petition is disposed of directing that the writ petitioner will also be governed by the directions contained in W.P(C).29240/06 as if the directions therein applies mutatis mutandis to the case of the petitioner. Accordingly, the petitioner is directed to produce a copy of the judgment in W.P (C).29240/06 along with a copy of this judgment before the competent authority.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.